

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Sec. 2. P&SL 1955, c. 139, §21, 2nd ¶, first sentence, as enacted by P&SL 1969, c. 49, is amended to read:

~~Said The~~ district is authorized and empowered to use any and all of its charter rights, powers and privileges for this purpose, and including without intending to be all inclusive, the right to acquire and hold real estate and personal estate necessary and convenient ~~therefor~~; to take and hold by purchase, lease or the exercise of the right of eminent domain or otherwise any land or real estate or easement ~~therein~~, within in or outside the area of the district, necessary for forming basins, reservoirs and outlets, for erection of buildings for pumping works and sewage treatment, for laying pipes and maintaining the same, for laying and maintaining conduits and appurtenances for carrying and collecting, discharging and disposing of sewage matter and for other objects necessary, convenient and proper ~~therefor~~; to establish through and by its commissioners regulations for the use of the sewers and fix and collect the prices to be paid for entering the same and the service charges for the use ~~thereof~~ of the sewers; to enter into contract with persons, corporations or municipalities, within in or outside the area of the district, including Winthrop Water District, the inhabitants of the Town of Manchester, the City of Hallowell and any quasi-municipal corporation or district formed or to be formed, to care for or treat sewage or drainage from laterals or otherwise through the district's system; to lay down, in and through the streets and highways, within in or outside the area of the district, and to take up, replace and repair all ~~such~~ conduits, pipes and fixtures ~~as may be~~ necessary or desirable for ~~said that~~ purpose; to carry and lay conduits and pipes under any water course, lake, way, public or private, or railroad and to cross any water pipe, gas pipe, electric conduit, drain or sewer pursuant to this ~~chapter~~ section; to make and file assessments and liens for the cost ~~thereof~~ of laying the conduits and pipes; to issue notes and bonds through its commissioners without district vote in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to provide for the financing ~~thereof~~ of laying the conduits and pipes; to establish and collect rates and enforce the collection ~~thereof~~ of the rates by lien and otherwise; to enforce by injunction and assess per diem penalties as provided in section 13 for violation by any industrial user who produces industrial waste of the federal, state or local laws, rules, regulations, ordinances or orders regarding pretreatment of industrial waste; to apply for and receive state and federal loans, grants and other forms of aid; and in general to use any and all of its charter rights, powers and privileges along ~~said the sewer~~ line as though the same were solely within in the area of the district.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 9, 1991.

CHAPTER 11

H.P. 382 - L.D. 556

An Act Concerning Reimbursement for Certain Medical Services as Special Education Services

Be it enacted by the People of the State of Maine as follows:

State special education services; study. The Department of Education shall conduct a staff study regarding the costs, benefits and possible alternative ways of amending existing state special education services rules to provide coverage for necessary medical services when identified as educationally appropriate. The department shall hold one or more public forums to hear testimony or to present findings and recommendations to interested parties. The department shall evaluate the results of the staff study and public input and present a report of its findings and recommendations to the Joint Standing Committee on Education no later than January 15, 1992. In developing findings and recommendations, the department shall take into account the historical distinction in state and federal law between educational and medical services, the current state and federal restrictions governing reimbursement for medical services, the evolution of state rules that permit reimbursement for some medically related services and the possibility that certain services traditionally defined as medical because of the source of the treatment may be educationally necessary to enable some students to benefit from an appropriate education.

See title page for effective date.

CHAPTER 12

S.P. 254 - L.D. 712

An Act to Amend the Charter of the Portland Water District

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1907, c. 433, §16, as repealed and replaced by P&SL 1975, c. 84, is amended by adding at the end a new paragraph to read:

Any user of the wastewater system who violates any provision of the laws administered by the district pertaining to pretreatment standards and requirements, including without limitation a violation of the terms or conditions of any rule or regulation of the district pertaining to pretreatment standards and requirements, is subject to a civil penalty payable to the district of not less than \$1,000 nor more than \$2,000 for each day of that violation. The district may recover the civil penalty by civil action in the District Court or Superior Court.